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C O N F I D E N T I A L SECTION 01 OF 05 BERLIN 000187

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SUBJECT: GERMANY: 2010 NPT REVIEW CONFERENCE MUST SUCCEED

REF: A. STATE 6970  
[1](#)B. BERLIN 126  
[1](#)C. MUNICH 20  
[1](#)D. MUNICH 19

Classified By: CHARGE D'AFFAIRES JOHN KOENIG. REASONS: 1.4 (B) AND (D).

[1](#)1. (C) SUMMARY: There is a great deal of interest in Germany -- in the government, the Bundestag, the press, and among the NGO and think tank community -- about the upcoming Non-Proliferation Treaty (NPT) Preparatory Committee (PrepCom) and Review Conference (RevCon). Interlocutors insist the 2010 RevCon "must succeed" and are pleased the new U.S. Administration is engaging on this issue so soon after taking office. Germany, long active on NPT matters, will actively work to ensure these meetings lead to "consensus on a substantive document" and a renewed commitment to the non-proliferation regime. Germany also hopes that the nuclear states will offer additional reductions to their nuclear arsenals. German interlocutors also noted a strong desire to see that nuclear states do more to limit the number of nuclear weapons, among other steps. Post recommends frequent, high-level talks on these matters with German counterparts to ensure maximum cooperation and understanding for the Administration's priorities, and notes that Director General for Arms Control and Disarmament Peter Gottwald will be in Washington February 23-24 for meetings in the Department and on Capitol Hill. END SUMMARY.

[1](#)2. (C) PolOff delivered Ref. A points to Stefan Kordasch, Deputy Head of the Nuclear Disarmament and Non-Proliferation Division at the German Ministry of Foreign Affairs on February 12. Kordasch was pleased to learn of the USG's priorities for and interest in the upcoming NPT PrepCom in May, noting that "the NPT RevCon must succeed" in 2010. He said that German officials are encouraged by President Obama's stance, noting that positive signals from the new U.S. Administration will "set the tone" for the upcoming PrepCom. Kordasch offered to provide a working paper which Germany distributed at the April 2008 PrepCom in Geneva which highlights a number of the German government's objectives regarding the NPT. A transcript of that working paper can be found in paragraph 12.

[1](#)3. (C) Kordasch began by briefly reviewing the 2005 RevCon, which he termed an "absolute failure." He acknowledged that the road ahead will be difficult, noting that it is extremely

difficult to get all 190 nations to agree on an agenda, a timetable, etc. That said, Germany plans to do everything possible to ensure that procedural issues are resolved at the PrepCom. When asked about the importance of the 2010 RevCon, Kordasch characterized it as "do or die." Many countries are losing faith in the validity of the NPT, and German officials fear that another failed RevCon will doom the NPT. "We really do view the problem as that serious." Germany is fully prepared to work very closely with the U.S. and other allies to ensure that the upcoming PrepCom and RevCon are successful and result in "consensus on a substantive document." Kordasch, who was active at the 2000 RevCon, noted that the "Thirteen Steps" established there laid out a good plan, although the follow-on interpretation of that plan was problematic.

¶4. (C) Kordasch said the time had come to strengthen the overall regime across the board in order to rebuild a "common purpose" for the NPT. Both non-proliferation and nuclear disarmament issues must be addressed, and a serious plan by the nuclear states to review their nuclear posture and reduce the size of their arsenal would send an important signal -- something he labeled the "irreversibility of nuclear disarmament." Kordasch mentioned that U.S. ratification of the CTBT and serious negotiations with the Russians about a follow-up to the START I treaty would "reinvigorate" the non-proliferation regime and reduce mistrust among the skeptical NAM countries and others. He noted that he hopes the follow-up to (or at least the extension of) START I would be "serious, verifiable, and legally binding" and include further reductions in both countries' nuclear stockpiles.

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Kordasch also pointed out that the start of serious negotiations at the Conference on Disarmament (CD) in Geneva on a Fissile Material Cutoff Treaty (FMCT) would provide a good initial signal of intent by the "important powers."

¶5. (C) Germany will continue to work closely with the U.S. through the EU3 3 (P5 1) process to pressure Iran to end its "unacceptable" noncompliance. As this is principally an IAEA issue, however, it will remain a question of tactics as to whether Iran should be isolated at the RevCon. In a separate conversation later that day with German parliamentarian Elke Hoff (FDP), Hoff mentioned that both IAEA Director General elBaradei and Iranian Speaker of Parliament Larijani complained bitterly about the "carrot and stick" terminology, and Hoff noted her agreement. "The U.S. is now using new language with Iran to build confidence and urge cooperation. Different words (to describe incentives and sanctions) would add to that effort." (NOTE: Mrs Hoff is travelling to Jerusalem, Tehran and Baghdad from February 22-26. END NOTE). Kordasch also mentioned that Germany continues to support the Six Party Talks to resolve the North Korean crisis.

¶6. (C) The lack of universality of the NPT remains a key stumbling block and Kordasch said that discussions should occur -- either at the PrepCom or through other venues -- about ways in which the international community can bring the "Big Three" -- India, Pakistan, and Israel -- closer to the NPT system by getting them to adhere to as many non-proliferation instruments as possible. He noted, however, that we should discuss these issues productively and constructively with these countries, rather than following the usual route of simply "badgering them." The past practice of "naming names" was unhelpful in his view and that of other interlocutors.

¶7. (C) Kordasch noted that Germany views "with interest" ideas about the automatism of sanctions should violations to the NPT occur and was pleased that Congresswoman Ellen Tauscher raised the issue at the Munich Security Conference (Ref. C). Strengthening Article X will definitely be on the agenda in 2010 and Kordasch urged considering the incorporation of UNSCR 1540 into the NPT as a further way to discourage withdrawal. Germany also strongly supports the

universality of NPT safeguards agreements and the Additional Protocol, and Kordasch welcomed the United States' adoption of the Additional Protocol in December.

¶18. (C) German Foreign Minister Steinmeier has been actively pushing the idea to establish an international nuclear fuel reprocessing facility under the IAEA. Kordasch noted, however, that this could be a "hard sell" with the NAM countries who may distrustfully view the creation of such a fuel bank as an attempt to detract from their Article IV rights. Kordasch also noted the EU and Russia have also been engaged on this issue. When asked about ways to allow for the peaceful uses of nuclear energy consistent with the Treaty's non-proliferation obligations, Kordasch noted that this must be coupled with the Article III verification requirements.

¶19. (C) Kordasch emphasized that transparency on the part of the nuclear weapons states with regard to their nuclear weapons forces and policies was desirable and important, while recognizing the limits. He said that conversations about these and other disarmament issues could also be held at NATO, where all Allies could coordinate an overall strategy. He noted an upcoming NAC Reinforced meeting in Brussels where arms control was on the agenda.

¶10. (SBU) German press reported broadly on the recent Munich Security Conference (Ref. D) and former Secretary of State Kissinger's call for "Global Zero." A number of German politicians have expressed their support for the total elimination of nuclear weapons, and the anti-nuclear movement in Germany remains strong. Depending on ideology and party affiliation, members of the German parliament (Bundestag) advocate approaches ranging from a German total abdication from nuclear burdensharing to a "go slow" approach to ensure

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the "world is safe without the security provided by the nuclear umbrella." Oliver Thraenert, Senior Research Associate for Security Policy at the German Institute for International and Security Affairs (a top German think tank) repeatedly noted that "American leadership" is the most important input to ensure a successful RevCom.

¶11. (U) As noted in Ref. B, the key points of contact for NPT-related issues in the German MFA are Arms Control and Disarmament Office Director Nikolai von Schoepff (240-RL@diplo.de) and his deputy Stefan Kordasch (240-0@diplo.de). Both can be reached at 49-30-5000-4268. According to von Schoepff, Director General for Arms Control and Disarmament Peter Gottwald is likely to lead the German delegation to the PrepCom meeting in May, reflecting the high priority Germany places on this event. Gottwald will also be in Washington February 23-24 for meetings in the Department and on Capitol Hill, including with Rep. Tauscher. Post believes frequent talks with German interlocutors in the run-up to the May 2009 PrepCon will ensure maximum cooperation and understanding for the Administration's priorities. Post stands ready to assist in any way possible.

¶12. (U) Begin text of German working paper submitted at the April 2008 NPT PrepCom in Geneva:

Working Towards A Successful 2010 NPT Review Conference --

¶A. The failure of the 2005 NPT Review Conference to arrive at an agreed result has been perceived as evidence that the nuclear non-proliferation regime is in a state of crisis and that it faces the risk of erosion. To avert an erosion, every effort needs to be undertaken to maintain and strengthen the integrity and authority of the NPT. The current review process must be the focus of our attention towards that end.

¶B. The Second and Third Session of the Preparatory Committee must be made best use of for preparing the ground for a successful 2010 Review Conference. To this end, it is of

utmost importance to rekindle a sense of common purpose in the international community. The credibility of the NPT requires that all States Parties join forces and closely work together on the basis of a shared respect for the fundamental bargain underlying the treaty, i.e. the firm relationship that the treaty establishes between nuclear disarmament and non-proliferation. Indeed, seen from a purely practical point of view, there is a clear interdependence between non-proliferation and disarmament: proliferation threats reduce the prospect for progress on disarmament whilst at the same time a lack of disarmament momentum is liable to boost proliferation risks.

1C. In order to bring about the required sense of common purpose, it seems of particular importance to develop a joint vision and to reassert the commitment to the ultimate goal of a nuclear weapon free world. This vision was also conjured up in the influential Wall Street Journal op-eds that George P. Shultz, William J. Perry, Henry A. Kissinger and Sam Nunn published on 4 January 2007 and 15 January 2008. Realistically, this vision can only be realized through an incremental process, which will require patience and time. And as rightly pointed out in the 2007 Wall Street Journal op-ed: "Without the bold vision, the actions will not be perceived as fair and urgent. Without the actions, the vision will not be perceived as realistic or possible."

1D. At the first session of the Preparatory Committee in 2007 it was possible to take necessary procedural decisions for the review process. However, despite a constructive and conciliatory tone, the positions reflected in the substantive debates often seemed to be entrenched along familiar lines. Setting our eyes on the 2010 Review Conference, we now need to adopt a result orientated approach. Such an approach should recognize the results of and confirm the commitments undertaken at the 1995 and 2000 Conferences. These commitments must continue to be considered as relevant and binding; failure to do so would call into question the very sense and purpose of review conferences and undermine

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confidence in the good faith of states parties and in the viability and dependability of multilateral agreements. At the same time, however, it would be naive and unrealistic to ignore the developments since 2000. Merely dwelling on past disappointments and deploring shortcomings in the implementation of past agreements does not provide guidance for the way forward. Instead our efforts should be focused on developing a forward looking approach, to establish a "New NPT Implementation Baseline."

1E. The "New NPT Implementation Baseline" should consist of a comprehensive but at the same time realistic double track approach, reflecting the fundamental bargain underpinning the NPT. It should be geared towards, on the one hand, strengthening the non-proliferation commitment of the NPT and, on the other hand, instilling a new momentum into the process of nuclear disarmament. The approach to be taken should be ambitious but not too ambitious. To build confidence and to testify to a common sense of purpose it should also provide for the reaffirmation of guiding principles and basic commitments pertaining to the NPT (i.a. recognition of the NPT providing the normative basis for all non-proliferation and disarmament efforts; acknowledgment of the interdependence between the NPT's three pillars; commitment to the equal rights and obligations paradigm and a joint vision).

1F. The NON-PROLIFERATION TRACK could include the following tasks and objectives:

- (i) a clear commitment to compliance and determined support for the diplomatic efforts aimed at solving the pressing regional proliferation risks, in particular Iran and North Korea;
- (ii) improvement of verification, in particular through making the IAEA Additional Protocol the new verification

standard of the NPT;

(iii) effective prevention of any misuse of civilian nuclear programmes for military ends, in particular through a solution to the risks posed by the nuclear fuel cycle;

(iv) development of a joint understanding on "withdrawal" (Article X of the NPT);

(v) incorporation of UNSC Res. 1540 into the NPT context ("institutionalizing of 1540") defining obligations and best practice guidelines as well as committing i.a. to assistance regarding the establishment of effective national export controls, the safeguarding of nuclear materials and the adoption of national implementation laws with a view on preventing terrorists from gaining access to nuclear weapons and fissile materials;

(vi) strengthening the role of the UN Security Council as the final arbiter on the consequences of non-compliance.

¶G. The SECOND TRACK regarding nuclear disarmament should in particular include endeavours to:

(i) overcome the deadlock in the Conference on Disarmament and restart substantial work on various items on its agenda (including negotiations on a Fissile Material Cut-off Treaty - FMCT; a stepping stone towards the commencement of FMCT negotiations could consist of a political declaration of all nuclear weapon states, de facto nuclear weapon states and important non-nuclear weapon states, which have the capacity to produce weapons usable materials; such a declaration would include a fissile material cut-off commitment and a commitment to enter into negotiations on a treaty);

(ii) provide an impetus for the continuation of the dialogue between Russia and the United States on strategic nuclear weapons and a follow-up to the START I and SORT treaties;

(iii) promote and establish an incremental arms control approach to non-strategic nuclear weapons;

(iv) promote the early entry into force of the CTBT and reaffirm the maintenance of a complete moratorium of nuclear weapon test explosions or any other nuclear explosions, pending the achievement of the entry into force of the CTBT (realistically interim solutions should be explored like a commitment by all NPT partners to sign the CTBT and a formal endorsement of the CTBTO verification system);

(v) establish other commitments in implementation of the "cessation of the nuclear arms race"-obligation contained in

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Article VI of the NPT (e.g. establishment of accountability and reporting obligations, capping of nuclear arsenals);

(vi) recommit to existing security assurances and explore ways for formalizing them; pursue determined efforts to bringing all existing NWFZ into force.

End text of German working paper.

¶13. (U) Political Officer Ken Kero is Embassy Berlin's main point of contact on NPT issues (keroka@state.gov, tel.

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